
OFA Bill Analysis

sHB 5402

AN ACT CONCERNING WAIVERS FOR MEDICAID-FINANCED, HOME AND COMMUNITY-BASED PROGRAMS FOR INDIVIDUALS WITH ACQUIRED BRAIN INJURY.

SUMMARY:

The bill requires the Department of Social Services (DSS) to continuously operate the current Medicaid acquired brain injury (ABI) waiver. It further specifies that services under this waiver not be phased out and that no individuals receiving services be institutionalized in order to meet federal cost neutrality requirements.

The bill also requires the DSS commissioner to seek federal approval for a second ABI waiver.

The bill establishes an advisory committee for the ABI waiver. The committee consists of the chairpersons and ranking members (or designees) of the Human Services, Appropriations and Public Health committees, as well as the commissioners of Social Services and Mental Health and Addiction Services. The committee must meet no less than four times per year. The committee must submit to the General Assembly an initial report concerning the impact of the individual cost cap in the proposed second ABI waiver by February 1, 2015.

EFFECTIVE DATE: July 1, 2014

BACKGROUND

ABI Waiver

Since 1999, DSS has offered home- and community-based services to adults under age 65 with ABIs who, without the services, would have to be institutionalized. The program offers 18 services, some of which are not medical in nature, such as supported employment, vehicle

modifications, and help with chores. DSS runs this program under a federal Medicaid Section 1915c waiver, since the regular Medicaid program would not authorize coverage for many of the services.

COMMITTEE ACTION

Appropriations Committee

Joint Favorable Substitute

Yea 45 Nay 3 (04/01/2014)